

REMARKS

The above amendments and following remarks are responsive to the points raised in the April 7, 2005 non-final Office Action. Upon entry of the Amendment, Claims 27, 37, and 47-52 will have been amended, and Claims 27-52 will be pending. No new matter has been introduced. Entry and reconsideration are respectfully requested.

Response to the Rejections Under 35 U.S.C. §§ 102(b) and 103(a)

Claims 27, 28, 30, 47, 49, and 51 have been rejected under 35 U.S.C. § 102(b) as being unpatentable over published European Patent Application EP 0 860 978 A2 to Fukasaka et al. (Fukasaka). Claims 36-38, 40, 46, 48, 50, and 52 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka. Claims 29, 39, 32, and 42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka in view of US Patent 5,864,411 to Norris. Claims 31 and 41 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka in view of US Patent 6,542,184 to Driscoll, Jr., et al. (Driscoll). Claims 33-35, and 43-45 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka in view of Norris. Applicants traverse these rejections.

Independent Claims 27 and 37 has been amended to recite an image input system having a transmitting unit adapted to transmit information indicating an operation mode set in an image input device to a computer “at a time” when an image input device and the computer are connected and communication there between has been established. The amendments to Claims 47-52 are consistent with the above amendments to Claims 27 and 37. Applicants respectfully submit that none of the applied references of Fukasaka, Norris, or Driscoll, either alone or in combination, teach, suggest, or otherwise render obvious, the subject matter recited in any one,

or more, of Claims 27-52.

Contrary to the Examiner's position, the camera controller, as disclosed by Fukasaka, merely transmits an application starting signal to a computer 201 when a shutter button 11 of an image input device 101 is pushed after the image input device has been connected to the computer 201 (see, for example, the Fukasaka disclosure in Column 6). The Fukasaka computer 201 starts OCR software when a camera is changed from a non-document mode to a document mode by pushing a switch of the camera 100 (see, for example, the Fukasaka disclosure of Column 3). Stated differently, as disclosed by Fukasaka, the application starting signal is transmitted at the time when some event is generated after the image input device and the computer have been connected with each other. More specifically, in Fukasaka, some trigger is required for transmitting the application starting signal after the image input device and the computer have been connected with each other. In Fukasaka, the application starting signal is not transmitted at the time when the image input device and the computer are connected with each other.

In the present invention and contrary to Fukasaka, an information indicating an operation mode set in an image input device is transmitted or received between the image input device and a computer at the time the image input device and the computer are connected with each other and the communication between the image input device and the computer is established. As such, in the present invention, the information indicating the operation mode set in the image input device is transmitted to the computer at a different timing from that taught or suggested by Fukasaka. The secondary references of Norris and Driscoll neither teach, suggest, nor otherwise render obvious, the subject matter recited in Claims 27-52, either alone or in combination with Fukasaka. Applicants take reservation to each of the Examiner's taking of Official Notice, in the

April 7, 2005 Office Action, and challenge the Examiner to identify prior art documents supporting the metes and bounds of each Official Notice and the conclusions based thereon.

In view of the above, the subject matter recited in Claims 27-52 is distinguished over the applied prior art references of Fukasaka, Norris, and Driscoll, either alone or in combination.

Accordingly, the rejections under 35 U.S.C. §§ 102(b) and 103(a) should be withdrawn.

CONCLUSION

Applicant respectfully submits that Claims 27-52 are in condition for allowance and a notice to that effect is earnestly solicited.

AUTHORIZATIONS

The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4568. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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